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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,691	02/23/2004	Stephen Anderson	010756.104556 (MSFT29)	1343
27488 7590 01/08/2008 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER TODD, GREGORY G	
			ART UNIT 2157	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,691

Applicant(s)

ANDERSON ET AL.

Examiner

Gregory G. Todd

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is a first office action in response to application filed, with the above serial number, on 23 February 2004 in which claims 1-21 are presented for examination. Claims 1-21 are therefore pending in the application.

Information Disclosure Statement

2. The information disclosure statement filed 04 May 2006 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

The information disclosure statement filed 23 August 2006 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a

column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

Claim Objections

3. Claim 17 is objected to because of the following informalities: In line 1 "A system for removing a thread comprising a plurality of posts from" is not clear. Also, in line 10, 'tot" should be "to". Also, it is not clear how the server is displaying content to a client display, as the server is not connected directly to the client display. Appropriate correction is required.

Claim 3 is objected to because of the following informalities: There is no period to conclude the claim. Appropriate correction is required.

Claim 10 is objected to because of the following informalities: The claim language is inconsistent with the specification, namely the 'types' of threads in the claims, are 'types' of posts in the specification and other claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 recites the limitation "the first type" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "the second type" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites the limitation "the database" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "the constituent post" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 21 recites the limitation "the deleted date" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear if the two second predetermined values are equal (especially as similar claims have the feedback-type post being of the 'first' predetermined value).

Regarding claim 10, the phrase "essentially" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 1 recites the limitation "the users" in line 3. There is insufficient antecedent basis for this limitation in the claim.

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 13-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims are directed to "a computer-readable medium". According to the October 26, 2005 Interim Guidelines for Examining Patent Applications, signal claims are ineligible for patent protection because they do not fall within the four statutory classes of § 101. (See http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf).

When nonfunctional descriptive material is recorded on some computer-readable medium, in a computer or on an electromagnetic carrier signal, it is not statutory since no requisite functionality is present to satisfy the practical application requirement. Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored in a computer-readable medium, in a computer, on an electromagnetic carrier signal does not make it statutory. (See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 and See also *In re Johnson*, 589 F.2d 1070, 1077, 200 USPQ 199, 206 (CCPA 1978)).

Paragraph 22 of the specification identifies that the computer readable media may comprise communication media which embodies carrier waves and the like.

In order to expedite a comprehensive examination of the instant application, the claims rejected under 35 U.S.C. 101 (non- statutory) above, are further rejected as set forth below in anticipation of applicant amending these claims to place them within the admissible statutory categories of invention.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bates et al (hereinafter "Bates", 6,807,566).

As per Claim 1, Bates teaches a method for deleting threads from a discussion group comprising a plurality of posts, comprising:

receiving a rating from each of the users whether the post was useful (at least Fig. 2; col. 5:10-24; 5:47-6:7; message rating);

determining whether at least one user has rated at least one post within the thread as useful (at least col. 5:10-24; 5:47-6:7; positive feedback);

if at least one user has rated at least one post as useful, retaining the thread; and if at least one user has not rated at least one post as useful, then deleting the thread (at least col. 5:10-24; 5:47-6:7; retaining and displaying messages having a rating above a threshold).

As per Claim 2. The method of claim 1, further comprising setting a delete date associated with the thread to a predetermined value (at least col. 7:47-56; message

past certain amount of time).

As per Claim 3. The method of claim 2, wherein retaining the thread comprises resetting the delete date of the thread to the predetermined value (at least col. 5:10-24; 5:47-6:7; retaining and displaying messages having a rating above a threshold with col. 7:47-56; adjusted rating according to time).

As per Claim 4. The method of claim 3, wherein retaining the thread comprises leaving the delete date of the post unchanged (at least col. 5:10-63); .

As per Claim 5. The method of claim 3, wherein deleting the thread comprises:
determining whether the delete date of at least one post is equal to the current date;
and deleting the thread if the deleted date is equal to the current date (at least col. 7:47-56; stale and not displayed).

As per Claim 6. The method of claim 1, wherein determining whether at least one user has rated at least one post within the thread, comprises:
storing the rating value in a field associated with the post (at least Fig. 2); and
determining whether the user has affirmatively rated the post as positive (at least col. 6:1-40; positive feedback rating).

As per Claim 7. The method of claim 6, wherein determining whether the rating field has a value indicative of a positive response, comprises:
determining whether at least one person opened the post (at least col. 6:1-40; positive comment response); and
storing a positive value in the rating field associated with the post (at least Fig. 2; col. 6:1-40; positive feedback rating).

As per Claim 8. The method of claim 7, wherein determining whether the rating field has a value indicative of a positive response further comprises:

determining whether the user provided a positive response in response to an inquiry whether the post was useful (at least col. 6:1-40; positive feedback rating).

As per Claim 9. The method of claim 2, wherein setting the delete date to a predetermined value, comprises:

determining the type of the post (at least col. 5:61-7:34; event querying);

if the post is a first type then setting the delete date of the thread to a first predefined value (at least col. 5:61-7:34);

if the post is a second type then the setting the delete date of the thread to a second predefined value (at least col. 5:61-7:34),

wherein the first predefined value is less than the second predefined value (at least col. 5:61-7:34).

As per Claim 10. The method of claim 8, wherein the first type of thread is selected from a list consisting essentially of Question/Answer-type thread and Feedback-type threads (at least col. 6:1-7:34; message).

As per Claim 11. The method of claim 8, wherein the second type of thread comprises a General Comment-type post (at least col. 6:1-7:34; eg. content).

As per Claim 12. The method of claim 1, further comprising:

displaying each post and the rating for each post on a display device (at least Fig. 2; col. 5:10-63; display).

Claims 13-21 do not, in substance, add or define any additional limitations over claims 1-12 and therefore are rejected for similar reasons.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Willis, Ginn, and Suzuki, are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G. Todd whose telephone number is (571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Todd

Patent Examiner

Technology Center 2100